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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,891	07/26/2000	Yuji Tsujimori	1934.64567	8030
24978	7590	03/29/2005	EXAMINER	
GREER, BURNS & CRAIN 300 S WACKER DR 25TH FLOOR CHICAGO, IL 60606			KHATRI, ANIL	
			ART UNIT	PAPER NUMBER
			2193	

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/625,891

Applicant(s)

TSUJIMORI ET AL.

Examiner

Anil Khatri

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/16/05</u> | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

This action is in response to the request for reconsideration filed on 10/12/2004.

As per applicant's request claims 1-8 have been considered but they are not persuasive.

Claims 1 and 5 stand rejected under U.S.C. 103(a) as being unpatentable over *Holzel et al* USPN 6,209,066 and claims 2-4 and 6-8 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over C: The Complete Reference Third edition by *Herbert Schildt* 1995 in view of *Holzle et al.* (U.S. Patent Number 6,209,066).

In the remarks applicants argues,

I) "Compiler of this invention may include a plurality of procedures which share a common interface area, if those procedure were simply executed in parallel those procedures would not be executed correctly because a conflict would occur at the common interface area".

II) Reference does not address "An occurrence of data conflict when plurality of procedures, which used a common interface area, are executed in parallel".

III) "Allocating memory dynamically in order to privatize the common interface area for each thread".

In response to applicant's arguments,

I) It was noted that cited reference fairly suggest that procedure were simply executed in parallel those procedures would not be executed correctly because a conflict would occur at the common interface area" and assign a separate memory block to each thread (see figure 10) see column 10, lines 58-65 to avoid conflict since execution is done in parallel. Also see columns 17-18, clines 63-67 and 1-29 respectively. Therefore, examiner believes that reference has suggested that there

Art Unit: 2124

is teaching about the invention to avoid memory conflict and assigned block for threads so execution can take place without any problem and limitations are met by the reference.

II) *Holzel et al* also suggest that occurrence of data conflict when plurality of procedures that used a common interface area are executed in parallel (column 6, lines 58-65). Therefore, examiner interprets that teaching have been suggested by the reference to data conflict as reference is teaching objects which contain data and executed in multi threaded environment to share or not to share the memory (column 7, line 34-36). Thus, limitations are met by the reference.

III) It was also noted in the *Holzel et al* reference that private memory blocks were assigned dynamically for different threads (slow and faster) (column 7, lines 10-20) to avoid overhead and conflict for common memory blocks. Therefore, limitations are met by the reference.

Applicant failed to clarify the enablement requirement (see previous office action), therefore, claims 1-8 stand rejected under 35 U.S.C 112 first paragraph as failing to comply with the enablement requirement.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2124

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri, Primary Examiner whose telephone number is 571-272-3725. The examiner can normally be reached on M-F 8:30-5:00 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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ANIL KHATRI  
PRIMARY EXAMINER